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6 Attorneys for Plaintiff
7 TOSHIBA AMERICA INFORMATION SYSTEMS, INC.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 MICHAEL SIMON, individually, and on behalf
of all others similarly situated,

13 Plaintiff,

14 v.
15

16 TOSHIBA AMERICA, INC., a Delaware
17 corporation, and TOSHIBA AMERICA
INFORMATION SYSTEMS, INC., a California
18 corporation,

19 Defendants.
20

Case No. C07-06202

CLASS ACTION

**NOTICE OF SUBSTITUTION OF
COUNSEL AND [PROPOSED]
ORDER PURSUANT TO LOCAL
RULE 11-5**

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: Please take notice that,
2 effective immediately, counsel of record for defendant Toshiba America Information Systems,
3 Inc., has changed. Toshiba America Information Systems, Inc., hereby substitutes Manatt, Phelps
4 and Phillips, LLP (Dean J. Zipser and Adina L. Witzling), located at 695 Town Center Drive,
5 14th Floor, Costa Mesa, California 92626, telephone: (714)371-2500, fax (714) 371-2550, as the
6 sole attorneys of record for Toshiba America Information Systems, Inc. in this litigation.

7 Effective immediately, Morrison & Foerster LLP will no longer be representing Toshiba
8 America Information Systems, Inc. in this matter.

9
10 Dated: May , 2008

TOSHIBA AMERICA INFORMATION
SYSTEMS, INC.

11
12 By: _____
13 Donald S. Gray

14
15 The following attorneys accept this substitution of counsel.

16 Dated: May 5, 2008

MORRISON & FOERSTER LLP

17
18 By: 
19 Michael I. Katz

20
21
22 Dated: May 6, 2008

MANATT, PHELPS & PHILLIPS, LLP

23
24 By: 
25 Adina L. Witzling

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23 By: _____
24 Adina L. Witzling
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27
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